

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
v.)	Criminal No. 14-00306-01-CR-W-GAF
)	
FREYA A. PEARSON,)	
)	
Defendant.)	

MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE

PENDING CHARGES: On October 28, 2014, the Grand Jury returned a nine count Indictment against Freya A. Pearson. Counts One through Three of the indictment charge defendant Pearson with wire fraud; setting forth the three wire transfers from Marva Wilson's UMB account to a bank account established by Pearson for a nonprofit entity she created. Counts Four through Seven charge defendant with money laundering of the wire fraud proceeds. Count Eight charges defendant with tax evasion of the taxes owed on defendant's income of \$441,830, the wire fraud proceeds. Count Nine charges defendant with making false statements to the Department of Housing and Urban Development between March 2010 and February 14, 2011. The following matters were discussed and action taken during the pretrial conference:

TRIAL COUNSEL:

Government: Kathleen Mahoney/Jane Pansing Brown
Case Agent: Special Agent Heather Dahmer of the I.R.S.
Defense: Justin Johnston

OUTSTANDING MOTIONS:

Motion to Sever Counts (doc. # 48) (defendant has been given an opportunity to file a written proffer prior to the issuance of a final order on this motion)

After the pretrial conference defendant filed a Motion in Limine (doc. # 61) which the government has opposed (doc. # 66)

TRIAL WITNESSES:

Government: 12-15 witnesses with stipulations
Defendant: 5-6 witnesses depending on which witnesses the government calls.
Defendant has one expert and the defendant may testify.

TRIAL EXHIBITS

Government: 75 exhibits
Defendant: 31 exhibits for defendant

DEFENSES: General denial, and defendant will seek to have a jury instruction given on the issue of good faith.

POSSIBLE DISPOSITION:

(X) Definitely for trial; () Possibly for trial; () Likely a plea will be worked out

TRIAL TIME: 3 ½ to 4 ½ days

Government's case including jury selection: 2 ½ -3 days

Defense case: 1-1 ½ days

STIPULATIONS: The parties have entered into stipulations concerning the business records.

UNUSUAL QUESTIONS OF LAW: None

FILING DEADLINES:

Witness and Exhibit List

Government: **Friday before the pretrial conference** (proposed witness list filed 5/17/16, supplemental proposed witness filed 9/29/16 and proposed exhibit list filed 9/29/16).

Defense: **Friday before the pretrial conference** (Exhibit filed 9/23/16, Amended Exhibit filed 10/5/16, Witness List filed 9/23/16).

Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, Voir Dire, Jury Instructions: Noon, Wednesday, October 19, 2016.

Please Note: Jury instructions must comply with Local Rule 51.1

TRIAL SETTING: Criminal jury trial docket set for October 24, 2016.

Please note: Counsel request the first week of the docket as one of the witnesses is unavailable the second week.

IT IS SO ORDERED.

/s/ Sarah W. Hays

SARAH W. HAYS

UNITED STATES MAGISTRATE JUDGE